

The crisis at the southern border continues to rage, with over 160,000 illegal aliens pouring into the country every single month.

In fiscal year 2021, a record-breaking 1.7 million illegal aliens crossed our southern border, and that is only those who were caught. How many others avoided authorities and successfully entered into our country illegally?

Mr. Speaker, we know cartels are sending gang members across our border and into our communities. I can tell you—and as a former sheriff, I can assure you, Mr. Speaker—these gang members, these alien gang members, are bringing violence and drugs, and they are straining police resources in cities all across America. In fact, violent crime skyrocketed in many cities last year, and much of that was tied to gang violence.

I hope that my colleagues on the other side of the aisle can agree that alien gang members should not be allowed into the United States. A “no” vote on the previous question sends a message to those looking to bring crime and violence into our country that they are not welcome here.

Mr. Speaker, for the sake of my children, for the sake of your children, for the sake of our children, I would ask all of my colleagues, on both sides of the aisle, to vote “no” on the previous question and stop these illegal alien gang members.

Ms. SCANLON. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the distinguished chair of the Committee on Oversight and Reform.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentlewoman for yielding and for her outstanding work on the Rules Committee.

Mr. Speaker, I rise in strong support of the rule for H.R. 5314, the Protecting Our Democracy Act.

This sweeping package of reforms, many of which have been supported by Democrats and Republicans in the past, will protect our government from future abuses, restore the government’s system of checks and balances, and strengthen our accountability and transparency.

The Committee on Oversight and Reform has jurisdiction over several titles in this landmark legislation, and I am proud to be an original cosponsor of this bill.

The Protecting Our Democracy Act includes the Inspector General Independence Act, which I introduced last year with Majority Leader STENY HOYER and several other members of the Committee on Oversight and Reform.

The bill would strengthen protections for inspectors general by only allowing an IG to be removed for specific, documented causes and not for political retaliation, for doing their jobs and conducting oversight.

The bill also includes my Whistleblower Protection Improvement Act, a

bipartisan bill the Committee on Oversight and Reform approved earlier this year. These provisions would strengthen protections for whistleblowers by protecting their anonymity and prohibiting retaliation when they come forward with abuses in government.

The Protecting Our Democracy Act would strengthen the Hatch Act, which is intended to protect the government from political interference with our workforce.

Last month, the independent Office of Special Counsel found that senior officials in the last administration repeatedly broke the law by using their government positions to campaign for the former President.

The bill also includes Representative KATIE PORTER’s bill, the Accountability for Acting Officials Act, which would limit who can be named an acting official and for how long. These reforms would close loopholes that are ripe for abuse.

Mr. Speaker, I urge everyone to vote for this important bill.

Mr. COLE. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. STAUBER), my good friend, a former police officer, and a member of the Law Enforcement Caucus, to provide further information about the previous question.

Mr. STAUBER. Mr. Speaker, I rise to oppose the previous question so that we can immediately consider H.R. 1995, the Protecting Our Communities from Gang Violence Act.

Crime is running rampant in our cities. Smash and grab is the new normal for malls and small business owners. Carjackings are happening with such frequency that it is now recommended that you drive in the center lane of roads and highways. What once were beloved destinations in our States and our communities have become overrun with street gangs and violent criminals across this great Nation.

Now, President Biden is helping bring that crime to every suburban and rural community in America. As we speak, the Biden administration is using taxpayer dollars to fly and transport illegal immigrants across this country. This is without knowledge of who these people are or their criminal background.

Now, violent gang members have been illegally entering our country and circumventing our laws well before the Biden administration implemented their weak border policies. But it is gravely naive to think these gang members are not taking full advantage of this crisis, crossing the border with ease, hopping on these taxpayer-funded flights, and making their way into every small town across this great Nation. The Biden administration is, without a doubt, providing gang members new playgrounds for their criminal behavior. This is unacceptable in our great Nation.

As Members of Congress, we cannot sit idly by and allow our communities to be infiltrated by gang members and exposed to violence.

Mr. Speaker, H.R. 1995 is simple. It will make gang members inadmissible to and deportable from the United States of America. This legislation should be noncontroversial. Violent and dangerous criminals have no right to live in our communities and benefit from our country.

We must finally send a signal that we will not allow this cycle of crime and violence to continue.

Mr. Speaker, I ask my colleagues to defeat the previous question.

□ 1800

Ms. SCANLON. Mr. Speaker, I would just remind our colleagues we are here today to talk about a rule to bring the Protecting Our Democracy Act to the floor. That is a bill that would prevent criminal behavior by Presidents, not by illegal aliens, so I would just kind of redirect the conversation there.

We are also here to engage in the extremely important business of passing the National Defense Authorization Act and to help the Senate, since they are having difficulty on their own, to raise the debt limit. That is what we are here to discuss.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Missouri (Mrs. HARTZLER), my good friend and one of the recognized experts on defense in the Congress.

Mrs. HARTZLER. Mr. Speaker, I rise in strong support of the National Defense Authorization Act for Fiscal Year 2022.

I want to thank my colleagues on both sides of the aisle for their work in developing this comprehensive bill that will ensure our men and women in uniform have the resources they need to keep our country safe.

The bill before us today does not include a provision requiring women to register for the Selective Service. This bill does not include any red-flag gun provisions that would infringe on the Second Amendment rights of our servicemembers. And this bill does not establish an office of extremism.

I want to thank Ranking Member ROGERS for his advocacy in removing these provisions from the final bill.

This bill does protect servicemembers who choose not to receive the COVID-19 vaccine by prohibiting the DOD from issuing dishonorable discharges. It also requires the DOD to establish uniform standards for COVID-19 vaccine exemptions and requires the Pentagon to consider the effects of natural immunity.

As ranking member of the Tactical Air and Land Forces Subcommittee, I am pleased with the continued investments this bill makes for our air and land capabilities.

Under the Tactical Air and Land Forces Subcommittee’s jurisdiction, this bill continues critical oversight of the Air Force, Navy, and Marine Corps’

strike fighter force structure and inventory management, setting better conditions for ensuring the right mix of fourth- and fifth-generation fighters and managing operational risk.

Specifically, this legislation authorizes funding for 12 F/A-18 Super Hornets, 85 F-35 Joint Strike Fighters, and 17 F-15EX aircraft.

The legislation also provides much-needed funding increases within the Army's small and medium caliber ammunition accounts as well as to support operational and safety improvements to the Nation's ammunition industrial base. I am proud of this legislation, and I urge all of my colleagues to vote "yes" on the final passage of the NDAA.

Ms. SCANLON. Mr. Speaker, I would inquire how many speakers Mr. COLE has remaining.

Mr. COLE. Mr. Speaker, we have at least one, I think perhaps two, if the gentleman can make it back in time.

Ms. SCANLON. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, As long as I have a few minutes left, I did just want to raise an amendment I have to the Protecting Our Democracy Act, which has been made in order. This amendment would effectuate the findings of the Senate Judiciary Committee report titled "Subverting Justice: How the Former President and His Allies Pressured DOJ to Overturn the 2020 Election."

That report made numerous recommendations, but one of them is directly related to the Protecting Our Democracy Act. It would increase the frequency with which reports are made of contact between the White House and the Department of Justice in order to make sure that protections occur against politicization of our law enforcement arm at the behest of bad actors in the White House.

I am very, very pleased that that amendment was made in order and, as always, very grateful to the Committee on Rules for its continuing efforts to make amendments in order, which it has been doing at a much higher rate this term than last.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BURGESS), my good friend, a fellow member of the Rules Committee and distinguished member of the Committee on Energy and Commerce.

Mr. BURGESS. Mr. Speaker, you just have to ask yourself what in the heck is going on here. Doctors across this country, our heroes in the healthcare fight that we have been in the last 2 years, are facing significant cuts in their Medicare reimbursements.

Instead of getting a commitment from Congress that we are going to work on solving this problem, what do they get? A gimmicky bill tying a reprieve on the Medicare cuts to the debt limit. That is a dead duck over in the other body. It is not going to pass, and the majority knows it is not going to pass.

Why don't we face the facts and get things done correctly from the start?

Unfortunately, our authorizing committees, the Committee on Energy and Commerce and the Committee on Ways and Means, have not seen fit to hold the hearings that would be necessary to provide a solution to this problem. Our providers need and deserve that certainty.

Mr. Speaker, I don't know what it is like in your part of the State, but in my part of the State, we are experiencing a shortage of healthcare workers. We are also seeing hospital consolidation becoming more and more prevalent. The coming Medicare cuts will only worsen these issues.

Furthermore, we have not even considered the cuts due to the Centers for Medicare and Medicaid Services clinical labor pricing updates. Some studies are now indicating that these cuts could be as significant as 20 percent for some providers.

Many of these same providers serve our seniors. They serve patients in critical care populations, including cancer patients and patients receiving critical surgeries or procedures. Overall, the clinical labor pricing updates will have an extreme impact on health quality, as they will affect our most vulnerable populations.

I appreciate the fact that the rebate rule is not included as an offset in this bill. That truly was budgetary smoke and mirrors that had no place in a rational discussion of this. But I do have to ask why we are reluctant to reuse the dollars in the Provider Relief Fund as an offset instead of creating a new Medicare sequester that, oh, yeah, won't start until 10 years from now.

Mr. Speaker, we are all familiar here with kicking the can down the road and robbing Peter to pay Paul. We are basically now robbing Peter's grandchildren to pay Paul. The Provider Relief Fund is sitting there waiting to be used. It would provide targeted relief to providers consistent with the original intent of the fund that we all voted for on March 27, 2020.

Unfortunately, this bill includes a one-time procedural change to allow the Senate to originate and pass a debt limit increase with only 51 votes. The Medicare issue and the debt limit do not belong in the same room, let alone in the same bill.

Protecting patients' access to care and helping healthcare providers during a public health emergency is a bipartisan issue. It deserves sincere congressional action, and it is time we work on meaningful payment reform.

Ms. SCANLON. Mr. Speaker, I completely agree that protecting Medicare from cuts is a bipartisan issue, and we are happy to engage on that. Unfortunately, if there is a complaint about how this bill is coming up at this time, that is something that was pushed by Republican leadership here in the House. That is not how our leadership proposed to do it.

If my colleagues want to have a serious conversation about the Nation's

fiscal policies, we encourage them to do the work with us to pass a funding bill for the current fiscal year. We are now 2 months into this fiscal year, and we still don't have a funding bill because Senate Republicans are refusing to work with the rest of Congress to negotiate a bipartisan appropriations bill.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, we are still waiting for a speaker, but I would inquire of the gentlewoman if she is prepared to close, we will go ahead and close.

Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, before I get into my prepared remarks and close, just in response to my good friend's last remark, I want her to be aware, we don't have an appropriations bill or budget because my friends, frankly, have riddled what happened in the Appropriations Committee with poison pills, taking out the Hyde protections. We have been waiting to negotiate that. Our friends have refused to do that.

It has been extended now to February 18. I hope that we meet that deadline and that we actually do get an agreed-upon appropriations bill. If we do, I would be happy to support it, as I have so many years in the past.

Mr. Speaker, in passing a final, bipartisan, bicameral version of the NDAA, we are fulfilling our responsibility to provide for the common defense. This would mark the 61st year in a row that Congress has passed a final NDAA, and I celebrate that fact.

This year's bill increases defense spending to a level commensurate with our needs, unlike the President's budget. It ensures a needed pay raise for our troops and ensures that the warfighters of tomorrow will have the weapons and capabilities they need. It will also provide needed oversight over the President's debacle in Afghanistan and will ensure that the American people receive the answers they deserve.

I want to publicly commend Chairman SMITH and Ranking Member ROGERS for working so well together in a bipartisan fashion and also commend their negotiating counterparts in the United States Senate, Chairman REED and Ranking Member INHOFE, for cooperating and bringing this important measure before us. I certainly hope we can pass it and move forward from there.

Today's rule, unfortunately, also advances a measure to address Medicaid sequestration. This is a bill that could and should have been bipartisan but instead must be used to address the Democratic leadership's failure to resolve the debt ceiling vote. That is sad. Democratic leaders have chosen to divide us when they could have chosen a different course that would have united us in a bipartisan agreement. Hopefully, they will learn from that lesson.

Finally, this rule also advances a highly partisan and unnecessary collection of purported government reforms,

many of which are duplicative of measures that have previously passed the House. I urge the majority to rethink these measures.

Mr. Speaker, I urge my colleagues to vote “no” on the previous question and “no” on the rule, and I yield back the balance of my time.

Ms. SCANLON. Mr. Speaker, I yield myself the balance of my time. The Protecting Our Democracy Act is a necessary package of policies to address abuses of our constitutional processes that have developed over time but accelerated under the most recent administration. It has become clear that our government will not survive solely on the good behavior of good people. We need statutory guardrails to ensure compliance with norms of good behavior.

The Protecting Our Democracy Act will impose reasonable and constitutionally sound limits on Presidential power and then create enforceable penalties for Presidents who abuse the powers of their office.

I am proud of my colleagues who contributed legislation to the final bill, especially Representative ADAM SCHIFF, who spearheaded this important effort.

The Protecting Our Democracy Act is an important continuation of the House's work for the people to protect our democratic institutions at this critical moment in time. It builds off bills like H.R. 1, H.R. 4, and the Inspector General Independence and Empowerment Act to protect our elections and make good government reforms to ensure that our government works for everyone and that the rule of law applies to everyone.

As with many of these bills and others passed by the House, I strongly urge my Senate colleagues to join us and do some legislating. Our country is facing multiple problems, and we frankly cannot afford continued inaction from the Senate on voting rights, the NDAA, the debt limit, or any of the hundreds of bills passed by the House over the past year.

Mr. Speaker, I urge all of my colleagues to vote for the rule today and to support the underlying legislation.

The material previously referred to by Mr. COLE is as follows:

#### AMENDMENT TO HOUSE RESOLUTION 838

At the end of the resolution, add the following:

SEC. 9. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 1995) to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

SEC. 10. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1995.

Ms. SCANLON. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COLE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings are postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. HAYES) at 6 o'clock and 30 minutes p.m.

#### PROVIDING FOR CONSIDERATION OF H.R. 5314, PROTECTING OUR DEMOCRACY ACT; PROVIDING FOR CONSIDERATION OF S. 1605; NATIONAL PULSE MEMORIAL; PROVIDING FOR CONSIDERATION OF S. 610, DR. LORNA BREEN HEALTH CARE PROVIDER PROTECTION ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on the resolution (H. Res. 838) providing for consideration of the bill (H.R. 5314) to protect our democracy by preventing abuses of presidential power, restoring checks and balances and accountability and transparency in government, and defending elections against foreign interference, and for other purposes, providing for consideration of the bill (S. 1605) to designate the National Pulse Memorial located at 1912 South Orange Avenue in Orlando, Florida, and for other purposes, and providing for consideration of the bill (S. 610) to address behavioral health and well-being among health care professionals, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The vote was taken by electronic device, and there were—yeas 218, nays 210, not voting 5, as follows:

[Roll No. 402]

#### YEAS—218

Adams	Gomez	Ocasio-Cortez
Aguiar	Gonzalez,	Omar
Allred	Vicente	Pallone
Auchincloss	Gottheimer	Panetta
Axne	Green, Al (TX)	Pappas
Barragán	Grijalva	Pascarell
Bass	Harder (CA)	Payne
Beatty	Hayes	Perlmutter
Bera	Higgins (NY)	Peters
Beyer	Himes	Phillips
Bishop (GA)	Horsford	Pingree
Blumenauer	Houlahan	Pocan
Blunt Rochester	Hoyer	Porter
Bonamici	Huffman	Pressley
Bourdeaux	Jackson Lee	Price (NC)
Bowman	Jacobs (CA)	Quigley
Boyle, Brendan	Jayapal	Raskin
F.	Jeffries	Rice (NY)
Brown (MD)	Johnson (GA)	Ross
Brown (OH)	Johnson (TX)	Roybal-Allard
Brownley	Jones	Ruiz
Bush	Kahele	Ruppersberger
Bustos	Kaptur	Rush
Butterfield	Keating	Ryan
Carbajal	Kelly (IL)	Sánchez
Cárdenas	Khanna	Sarbanes
Carson	Kildee	Scanlon
Carter (LA)	Kilmer	Schakowsky
Cartwright	Kim (NJ)	Schiff
Case	Kind	Schneider
Casten	Kirkpatrick	Schrader
Castor (FL)	Krishnamoorthi	Schrier
Castro (TX)	Kuster	Scott (VA)
Chu	Lamb	Scott, David
Cicilline	Langevin	Sewell
Clark (MA)	Larsen (WA)	Sherman
Clarke (NY)	Larson (CT)	Sherrill
Cleaver	Lawrence	Sires
Cohen	Lawson (FL)	Smith (WA)
Connolly	Lee (CA)	Soto
Cooper	Lee (NV)	Spanberger
Correa	Leger Fernandez	Speier
Costa	Levin (CA)	Stansbury
Courtney	Levin (MI)	Stanton
Craig	Lieu	Stevens
Crist	Lofgren	Strickland
Crow	Lowenthal	Suozi
Cuellar	Luria	Swalwell
Davids (KS)	Lynch	Takano
Davis, Danny K.	Malinowski	Thompson (CA)
Dean	Maloney,	Thompson (MS)
DeFazio	Carolyn B.	
DeGette	Maloney, Sean	Titus
DeLauro	Manning	Tlaib
DelBene	Matsui	Tonko
Delgado	McBath	Torres (CA)
Demings	McCollum	Torres (NY)
DeSaulnier	McEachin	Trahan
Deutch	McGovern	Trone
Dingell	McNerney	Underwood
Doggett	Meeks	Vargas
Doyle, Michael	Meng	Veasey
F.	Mfume	Vela
Escobar	Moore (WI)	Velázquez
Eshoo	Morelle	Wasserman
Espallat	Moulton	Schultz
Evans	Mrvan	Waters
Fletcher	Murphy (FL)	Watson Coleman
Foster	Nadler	Welch
Frankel, Lois	Napolitano	Wexton
Gallo	Neal	Wild
Garamendi	Neguse	Williams (GA)
Garcia (IL)	Newman	Wilson (FL)
Garcia (TX)	Norcross	Yarmuth
Golden	O'Halleran	

#### NAYS—210

Aderholt	Brady	Clyde
Allen	Brooks	Cole
Amodel	Buchanan	Comer
Armstrong	Buck	Crawford
Arrington	Bucshon	Crenshaw
Babin	Budd	Curtis
Bacon	Burchett	Davidson
Baird	Burgess	Davis, Rodney
Balderson	Calvert	DesJarlais
Banks	Cammack	Diaz-Balart
Barr	Carey	Duncan
Bentz	Carl	Ellzey
Bergman	Carter (GA)	Emmer
Bice (OK)	Carter (TX)	Estes
Biggs	Cawthorn	Fallon
Bilirakis	Chabot	Feenstra
Bishop (NC)	Cheney	Ferguson
Boebert	Cline	Fischbach
Bost	Cloud	Fitzgerald